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NOTICE OF ALLOWANCE AND FEE(S) DUE

23873 7590 03/22/2010

ROBERT W STROZIER, P.L.L.C
PO BOX 429
BELLAIRE, TX 77402-0429

EXAMINER

PAULS, JOHN A

ART UNIT

PAPER NUMBER

3686

DATE MAILED: 03/22/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/817,385

04/02/2004

Stephen P. Fracek JR.

98006/16C1

2876

TITLE OF INVENTION: WEB LINKED DATABASE FOR TRACKING CLINICAL ACTIVITIES AND COMPETENCIES AND EVALUATION OF PROGRAM RESOURCES AND PROGRAM OUTCOMES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	06/22/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23873 7590 03/22/2010

ROBERT W STROZIER, P.L.L.C
PO BOX 429
BELLAIRE, TX 77402-0429

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/817,385 04/02/2004 Stephen P. Fracek JR. 98006/16C1 2876

TITLE OF INVENTION: WEB LINKED DATABASE FOR TRACKING CLINICAL ACTIVITIES AND COMPETENCIES AND EVALUATION OF PROGRAM RESOURCES AND PROGRAM OUTCOMES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional YES \$755 \$300 \$0 \$1055 06/22/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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PAULS, JOHN A 3686 705-002000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,385	04/02/2004	Stephen P. Fracek JR.	98006/16C1	2876
23873	7590	03/22/2010	EXAMINER	
ROBERT W STROZIER, P.L.L.C			PAULS, JOHN A	
PO BOX 429			ART UNIT	
BELLAIRE, TX 77402-0429			PAPER NUMBER	
			3686	
DATE MAILED: 03/22/2010				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1296 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1296 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	10/817,385	FRACEK ET AL.	
	Examiner	Art Unit	
	JOHN A. PAULS	3686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/25/2010.
2. ☒ The allowed claim(s) is/are 1 and 7-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>04/02/2004</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|--|--|

/JOHN A. PAULS/
Examiner, Art Unit 3686

DETAILED ACTION

Prosecution History

1. Claims 1, 7 - 11 and 13 have been amended.
2. Claims 1, and 7 – 14 are allowed.

Reasons for Allowance

3. The following as an Examiner's statement of reasons for allowance:

Regarding Claim 1

The prior art of record neither anticipates nor fairly and reasonably teaches a server computer having computer executable instructions for entering, tracking and verifying medical student and/or medical staff patient and procedure activities, said instructions comprising:

- *a GUI subsystem of executable routines for interacting with a user including input screens having data input fields, selection fields and activation buttons and output screens including data output fields;*
- *a database subsystem of executable routines for storing, manipulating and polling data including database fields corresponding to the input data field and output data field of the GUI screens;*
- *a logon subsystem of executable routines including user identification routines to establish user identity and user system access status;*
- *a survey subsystem of executable routines including a plurality of surveys;*

- *a student subsystem of executable routines including a student time clock function, a student daily log function, a student clinical competencies function and a student personal data function;*
- *a clinician subsystem including a clinician personal daily log function, a clinician clinical competencies function and a clinician personal data function;*
- *a staff subsystem of executable routines including a staff personal data function; and*
- *a faculty subsystem of executable routines including a faculty personnel data function, a faculty time clock function, a faculty daily log function, a faculty clinical competencies function, a faculty summaries function and a faculty program surveys function,*
- *where the computer server is connected to a distributed computer network selected from the group of an intranet and the Internet,*
- *where the survey subsystem comprises an employer survey, a graduate survey, a student survey and a program personnel survey,*
- *where the student time clock function comprises a time in clock function, a time out clock function, a view time clock records function and a generate time clock summary function, where the time in and time out functions create a unique time stamp for time in and time out and an elapsed time tied to a particular clinician and hospital or associated with a given medical protocol, procedure or rotation,*
- *where the student daily log and student clinical competencies function comprise a view records function, a search records function, an add record function and summary function,*

- *where the staff personal data function comprises a view records function, a search records function, an add record function, a modify record function, and a delete record function, and*
- *where the clinician personal daily log function and clinician clinical competencies function comprises a validate student records function.*

Regarding Claim 9

The prior art of record neither anticipates nor fairly and reasonably teaches a method for entering, tracking and verifying medical student and/or medical staff patient and procedure activities, said method comprising:

- *providing a computer server having encoded thereon a system comprising:*
 - *a GUI subsystem of executable routines for interacting with a user including input screens having data input fields, selection fields and activation buttons and output screens including data output fields;*
 - *a database subsystem of executable routines for storing, manipulating and polling data including database fields corresponding to the input data field and output data field of the GUI screens;*
 - *a logon subsystem of executable routines including user identification routines to establish user identity and user system access status;*
 - *a survey subsystem of executable routines including a plurality of surveys;*

- *a student subsystem of executable routines including a student time clock function, a student daily log function, a student clinical competencies function and a student personal data function;*
- *a clinician subsystem including a clinician personal daily log function, a clinician clinical competencies function and a clinician personal data function;*
- *a staff subsystem of executable routines including a staff personal data function; and*
- *a faculty subsystem of executable routines including a faculty personnel data function, a faculty time clock function, a faculty daily log function, a faculty clinical competencies function, a faculty summaries function and a faculty program surveys function,*
- *where the computer server is connected to a distributed computer network selected from the group of an intranet and the Internet,*
- *where the survey subsystem comprises an employer survey, a graduate survey, a student survey and a program personnel survey,*
- *where the student time clock function comprises a time in clock function, a time out clock function, a view time clock records function and a generate time clock summary function, where the time in and time out functions create a unique time stamp for time in and time out and an elapsed time tied to a particular clinician and hospital or associated with a given medical protocol, procedure or rotation,*

- *where the student daily log and student clinical competencies function comprise a view records function, a search records function, an add record function and summary function,*
- *where the staff personal data function comprises a view records function, a search records function, an add record function, a modify record function, and a delete record function, and*
- *where the clinician personal daily log function and clinician clinical competencies function comprises a validate student records function;*
- *logging onto the system using the logon subsystem; selecting a time in function which generates a unique time in stamp;*
- *selecting a time out function after completion of a medical protocol or procedure which generates a unique time out stamp;*
- *selecting a clinician and an area identifying take an instructor and the protocol or procedure;*
- *entering data associated with the protocol or procedure in appropriate fields in a GUI screen associated with the protocol or procedure, and updating the time entry record.*

Regarding Claim 13

The prior art of record neither anticipates nor fairly and reasonably teaches a method for entering, tracking and verifying medical student and/or medical staff patient and procedure activities, said method comprising:

- *retrieving medical student data for each medical student from a computer server having encoded thereon a system comprising:*
 - *a GUI subsystem of executable routines for interacting with a user including input screens having data input fields, selection fields and activation buttons and output screens including data output fields;*
 - *a database subsystem of executable routines for storing, manipulating and polling data including database fields corresponding to the input data field and output data field of the GUI screens;*
 - *a logon subsystem of executable routines including user identification routines to establish user identity and user system access status;*
 - *a survey subsystem of executable routines including a plurality of surveys;*
 - *a student subsystem of executable routines including a student time clock function, a student daily log function, a student clinical competencies function and a student personal data function;*
 - *a clinician subsystem including a clinician personal daily log function, a clinician clinical competencies function and a clinician personal data function;*
 - *a staff subsystem of executable routines including a staff personal data function;*
and
 - *a faculty subsystem of executable routines including a faculty personnel data function, a faculty time clock function, a faculty daily log function, a faculty clinical*

competencies function, a faculty summaries function and a faculty program surveys function,

- *where the computer server is connected to a distributed computer network selected from the group of an intranet and the Internet,*
- *where the survey subsystem comprises an employer survey, a graduate survey, a student survey and a program personnel survey,*
- *where the student time clock function comprises a time in clock function, a time out clock function, a view time clock records function and a generate time clock summary function, where the time in and time out functions create a unique time stamp for time in and time out and an elapsed time tied to a particular clinician and hospital or associated with a given medical protocol, procedure or rotation,*
- *where the student daily log and student clinical competencies function comprise a view records function, a search records function, an add record function and summary function,*
- *where the staff personal data function comprises a view records function, a search records function, an add record function, a modify record function, and a delete record function, and*
- *where the clinician personal daily log function and clinician clinical competencies function comprises a validate student records function; and*
- *determining an accreditation score therefrom.*

4. The most remarkable prior art of record is as follows:

- Recigno: U.S. Patent Number 5,616,899 A
 - Hamlin et al: U.S. Patent Number 6,447,504 B1
 - “Microcomputer Management Information System for a University Allied Health Clinical Training Program”; Kersting, Frank M. Dissertation for George Peabody College for Teachers of Vanderbilt University, 1983.
 - “Overview” Liaison Committee on Medical Education (LCME); 22 July, 1997.
 - “A Journey Through the History of the Joint Commission”; Joint Commission on Accreditation of Hospitals (JCOAH); 1987.
5. The cited prior art of record fails to expressly teach a method and system for entering, tracking and verifying medical student and/or medical staff patient and procedure activities, where the system and method include a survey subsystem, a student subsystem, a clinician subsystem, a staff subsystem and a faculty subsystem.
6. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance”

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **John A. Pauls** whose telephone number is **(571) 270-5557**. The Examiner can normally be reached on

Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JERRY O'CONNOR** can be reached at **571.272.6787**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197**.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

or faxed to (571) 273-**8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building
401 Dulany Street
Alexandria, VA 22314.

/J. A. P./
Examiner, Art Unit 3686
Date: 27 January, 2010

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686